

REMARKS

Claims 1-4 and 8-9 are pending in the present application. Claim 1 was amended to more clearly define the limitations. No new matter has been added. The Applicant request reconsideration of the rejections based on the following remarks.

Claim 1 was rejected under 35 U.S.C. §112 for indefiniteness. In light of the present amendment, the Applicant respectfully submits that the rejection is now moot and should therefore be withdrawn.

Regarding the Examiner's Final Rejection, the Applicant submits that, under MPEP 706.07(a), this rejection is premature and therefore improper. The response filed February 17, 2004 contained minimal amendments to claim 1, and claim 4 was unamended. Accordingly, the new grounds of rejections are not "necessitated by applicant's amendment" as required by 706.07(a). Withdrawal of the Finality of the Office Action dated March 26, 2004 is respectfully requested.

Claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by *Rogers et al.* (U.S. Patent 5,946,386). Claims 1-4 and 9 were rejected under 35 U.S.C. §103 (a) as being anticipated by *Lautenschlager*. (U.S. Patent No. 6,571,100) in view of *Clouter* (U.S. Patent App. 2001/0055963). The Applicant respectfully traverses these rejections for the following reasons.

The cited art, alone or in combination does not teach the features recited in the claims. Specifically claim 1, features "reading out of a schedule store of the communication partner information about which individual identification code is allocated to the personal communication address of the communication partner at the time, the schedule store being administered by an appointments book program operated on a computer that is connected to the communication network by a gateway." This feature is similarly recited in claim 4. The *Rogers* reference teaches a telephone switching system for providing real-time call management of incoming calls by called parties. *Rogers*, however, is silent regarding the allocation of an "communication address" as recited in the claims. The passage relied upon by the Examiner (col. 9, line 63) has no mention of communication addresses, and merely describes the routing of incoming calls to the call management system 99 (col. 9, line 63 to col. 10, line 2). Also, *Rogers* is silent regarding the allocation of an "identification code" as recited in the claims. Again, the Examiner broadly cited to cols. 27 and 34, but there is no mention whatsoever in these passages

of any kinds of identification codes being allocated to at least one communication terminal. Col. 27 merely describes an example of a call management screen, and col. 34 describes a group handling mode, where individuals may specify caller groups through call tags and such. Also, col. 37, which was also relied upon by the Examiner, merely describes a menu for user-defined "VIP" call handling. None of the features recited above are even mentioned in this passage. Accordingly, the Applicant submits that the rejection under 35 U.S.C. §102(e) is improper and should be withdrawn.

Regarding the *Lautenschlager* reference, the patent discloses a method for providing a personal communications service to subscribers having at least one fixed terminal and at least one mobile terminal. (col. 1, lines 8-13). In addition to the arguments stated above, *Lautenschlager* does not disclose "addressing the personal communication address of the communication partner", "allocating an individual identification code of at least one communication terminal to the personal communication address" and other elements in claims 1 and 4 that utilize these features, including "reading out of a scheduled store." FIG. 3 of *Lautenschlager*, which was cited by the Examiner, discloses the exchange of messages (M2-M9) in a communication system, wherein a call (C1), which is directed to subscriber "A", contains a destination subscriber number assigned to several service numbers (col. 6, lines 23-36). The routing is then established through the received status data of the terminals (col. 6, lines 59-64). *Lautenschlager* is completely silent on how the system allocates an individual identification code of at least one communication terminal to the personal communication address.

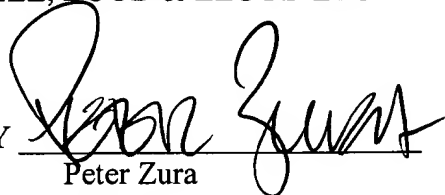
Also, *Cloutier* does not solve the deficiencies of *Lautenschlager* discussed above. Also, there is no teaching or suggestion to modify the teaching of *Lautenschlager* with that of *Cloutier*, as stated by the Examiner. The Examiner suggests that *Lautenschlager* could be modified by *Cloutier* "to allow terminals to be prioritized". However, *Lautenschlager* clearly discloses a specific system that requires status data and selection parameters assigned to the subscribed number to route calls according to a priority list (col. 5, lines 59-67). *Cloutier* teaches none of these features in its disclosure. Accordingly, there is no teaching or suggestion to combine these references, and the rejection under 35 U.S.C. §103 is improper. Withdrawal of this rejection is respectfully requested.

In light of the above comments, the Applicant respectfully submits that the application is in condition for allowance and requests that a timely Notice of Allowance be issued in this case. Should there be any other charges regarding this application, the Examiner is hereby authorized to charge Deposit Account 02-1818 for any insufficiency of payment.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Peter Zura

Reg. No. 48,196

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 781-6801

Dated: June 22, 2003